

# 2008 Current Fiscal Year Report: Technical Study Panel on the Utilization of Belt Air and the Composition and Fire Retardant Properties of Belt Materials in Underground Coal Mining

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|                                     |                              |
|-------------------------------------|------------------------------|
| <b>1. Department or Agency</b>      | <b>2. Fiscal Year</b>        |
| Department of Labor                 | 2008                         |
| <b>3. Committee or Subcommittee</b> | <b>3b. GSA Committee No.</b> |

|   |       |
|---|-------|
| Technical Study Panel on the Utilization of Belt Air and the Composition and Fire Retardant Properties of Belt Materials in Underground Coal Mining | 30907 |
|---|-------|

|   |                           |                                 |                              |
|---|---------------------------|---------------------------------|------------------------------|
| <b>4. Is this New During Fiscal Year?</b> | <b>5. Current Charter</b> | <b>6. Expected Renewal Date</b> | <b>7. Expected Term Date</b> |
| No  | 12/20/2006                | 12/20/2007                      | 12/20/2007                   |

|   |  |                             |
|---|--|-----------------------------|
| <b>8a. Was Terminated During Fiscal Year?</b> | <b>8b. Specific Termination Authority</b>        | <b>8c. Actual Term Date</b> |
| Yes   | MINER Act of 2006, Section 11 PL 109-236 (S2803) | 09/30/2008                  |

|  |   |                                  |
|--|---|----------------------------------|
| <b>9. Agency Recommendation for Next Fiscal Year</b> | <b>10a. Legislation Req to Terminate?</b> | <b>10b. Legislation Pending?</b> |
| Terminate  | Yes                                       | Enacted                          |

**11. Establishment Authority** Statutory (Congress Created)

|   |                           |                           |                           |
|---|---------------------------|---------------------------|---------------------------|
| <b>12. Specific Establishment Authority</b>       | <b>13. Effective Date</b> | <b>14. Committee Type</b> | <b>14c. Presidential?</b> |
| MINER Act of 2006, Section 11 PL 109-236 (S 2803) | 06/15/2006                | Ad hoc                    | No                        |

**15. Description of Committee** Other Committee

**16a. Total Number of Reports** 1

**16b. Report Date** Report Title

Final Report of the Technical Study Panel on the Utilization of Belt Air & the  
12/20/2007Composition & Fire Retardant Properties of Belt Materials in Undergrd Coal  
Mining

**Number of Committee Reports Listed:** 1

**17a. Open** 0 **17b. Closed** 0 **17c. Partially Closed** 0 **Other Activities** 1 **17d. Total** 1  
**Meetings and Dates**

Purpose

Start

End

**Number of Committee Meetings Listed: 1**

|   | <b>Current FY</b> | <b>Next FY</b> |
|---|-------------------|----------------|
| <b>18a(1). Personnel Pmts to Non-Federal Members</b>                  | \$0.00            | \$0.00         |
| <b>18a(2). Personnel Pmts to Federal Members</b>                      | \$15,600.00       | \$15,600.00    |
| <b>18a(3). Personnel Pmts to Federal Staff</b>                        | \$36,400.00       | \$36,400.00    |
| <b>18a(4). Personnel Pmts to Non-Member Consultants</b>               | \$0.00            | \$0.00         |
| <b>18b(1). Travel and Per Diem to Non-Federal Members</b>             | \$0.00            | \$0.00         |
| <b>18b(2). Travel and Per Diem to Federal Members</b>                 | \$0.00            | \$0.00         |
| <b>18b(3). Travel and Per Diem to Federal Staff</b>                   | \$4,000.00        | \$4,000.00     |
| <b>18b(4). Travel and Per Diem to Non-member Consultants</b>          | \$0.00            | \$0.00         |
| <b>18c. Other(rents,user charges, graphics, printing, mail, etc.)</b> | \$2,000.00        | \$2,000.00     |
| <b>18d. Total</b>   | \$58,000.00       | \$58,000.00    |
| <b>19. Federal Staff Support Years (FTE)</b>                          | 0.30              | 0.30           |

**20a. How does the Committee accomplish its purpose?**

The committee will meet in open forum inviting the public as published in the Federal Register and discuss topics relevant to subject matter of Utilization of belt air and the composition and fire retardant properties of belt materials in underground coal mining. Staff will provide committee with support and materials related to subject matter upon committee request. Input will also be accepted from the public for consideration.

**20b. How does the Committee balance its membership?**

Consistent with the requirements of the MINER Act, the membership of the Panel is as follows: 1 member selected for Appointment jointly by the Minority Leaders of the Senate and House of Representatives; 1 member selected for appointment jointly by the majority leaders of the Senate and House of Representatives; 2 members selected for Appointment by the Secretary of Labor and 2 members by the Secretary of Health and Human Services.

**20c. How frequent and relevant are the Committee Meetings?**

Estimated number of meetings in FY07 = 5, at approximately bi-monthly intervals and geographically spread out across the U.S. The meeting number and frequency will best permit the Technical Study Panel to complete its purpose as described above.

**20d. Why can't the advice or information this committee provides be obtained elsewhere?**

The Technical Study Panel was created under Section 11 of the Mine Improvement and New Emergency Response Act of 2006 (MINER Act) (Public Law 109-236). The purpose

of the Panel is to prepare and submit a report concerning the utilization of belt air and the composition and fire retardant properties of belt materials in underground coal mining. as stated in the Federal Register/Vol.71, No.246/Friday, Dec 22, 2006

**20e. Why is it necessary to close and/or partially closed committee meetings?**

N/A

**21. Remarks**

The Technical Study Panel was Congressionally mandated in the MINER Act of 2006 to complete their work and submit a report by 12/20/2007, one year from the date the Panel members were appointed. The legal determination was made that the constitution and conduct of the Panel in other regards fell under FACA, and it is therefore considered an advisory committee. Note: Report date was 12/20/2007.

**Designated Federal Officer**

Linda Zeiler Deputy Director of Technical Support

| Committee Members | Start      | End        | Occupation                                 | Member Designation                       |
|-------------------|------------|------------|--|--|
| Brune, Jurgen     | 12/20/2006 | 12/20/2007 | NIOSH                                      | Regular Government Employee (RGE) Member |
| Calizaya, Felipe  | 12/20/2006 | 12/20/2007 | professor of mining engineering            | Special Government Employee (SGE) Member |
| Mucho, Thomas     | 12/20/2006 | 12/20/2007 | mining engineering consultant              | Special Government Employee (SGE) Member |
| Mutmansky, Jan    | 12/20/2006 | 12/20/2007 | professor of mining engineering            | Special Government Employee (SGE) Member |
| Tien, Jerry       | 12/20/2006 | 12/20/2007 | professor of mining engineering            | Special Government Employee (SGE) Member |
| Weeks, James      | 12/20/2006 | 12/20/2007 | industrial hygiene/ engineering consultant | Special Government Employee (SGE) Member |

**Number of Committee Members Listed: 6**

**Narrative Description**

The Technical Study Panel was created under Section 11 of the Mine Improvement and New Emergency Response Act of 2006 (MINER Act) (Public Law 109-236). The purpose of the Panel was to prepare and submit a report concerning the utilization of belt air and the composition and fire retardant properties of belt materials in underground coal mining. as stated in the Federal Register/Vol.71, No.246/Friday, Dec 22, 2006 This committee provided MSHA an independent assessment of the safety hazards involved with these underground ventilation and fire instigation/protection issues, directly supporting MSHA's mission of protecting the safety and health of the nation's miners.

**What are the most significant program outcomes associated with this committee?**

Checked if Applies

|   |                                     |
|---|-------------------------------------|
| Improvements to health or safety                  | <input checked="" type="checkbox"/> |
| Trust in government                               | <input type="checkbox"/>            |
| Major policy changes                              | <input checked="" type="checkbox"/> |
| Advance in scientific research                    | <input type="checkbox"/>            |
| Effective grant making                            | <input type="checkbox"/>            |
| Improved service delivery                         | <input type="checkbox"/>            |
| Increased customer satisfaction                   | <input type="checkbox"/>            |
| Implementation of laws or regulatory requirements | <input checked="" type="checkbox"/> |
| Other   | <input checked="" type="checkbox"/> |

### Outcome Comments

Regulatory and policy changes due to Panel recommendations will be completed by the end of CY 2008.

### What are the cost savings associated with this committee?

Checked if Applies

|                            |                                     |
|----------------------------|-------------------------------------|
| None                       | <input type="checkbox"/>            |
| Unable to Determine        | <input checked="" type="checkbox"/> |
| Under \$100,000            | <input type="checkbox"/>            |
| \$100,000 - \$500,000      | <input type="checkbox"/>            |
| \$500,001 - \$1,000,000    | <input type="checkbox"/>            |
| \$1,000,001 - \$5,000,000  | <input type="checkbox"/>            |
| \$5,000,001 - \$10,000,000 | <input type="checkbox"/>            |
| Over \$10,000,000          | <input type="checkbox"/>            |
| Cost Savings Other         | <input type="checkbox"/>            |

### Cost Savings Comments

Costs and potential cost savings from the committee's recommendations will be reflected in the economic analysis of upcoming rulemaking.

### What is the approximate Number of recommendations produced by this committee for the life of the committee?

20

### Number of Recommendations Comments

Recommendations covered both the use of belt air and belt flammability issues.

### What is the approximate Percentage of these recommendations that have been or

**will be Fully implemented by the agency?**

90%

**% of Recommendations Fully Implemented Comments**

By the end of CY 2008, full implementation by regulation for about 70 percent, and full implementation by policy for approximately 20 percent.

**What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?**

10%

**% of Recommendations Partially Implemented Comments**

By the end of CY 2008, about 10% of recommendations will be partially implemented by either policy or pending research.

**Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?**

Yes ☒ No ☐ Not Applicable ☐

**Agency Feedback Comments**

The Agency will issue final rules covering about 70% of the Panel recommendations by the end of CY 2008, and policy changes will also be publicly available.

**What other actions has the agency taken as a result of the committee's advice or recommendation?**

Checked if Applies

|                                   |                                     |
|-----------------------------------|-------------------------------------|
| Reorganized Priorities            | <input checked="" type="checkbox"/> |
| Reallocated resources             | <input checked="" type="checkbox"/> |
| Issued new regulation             | <input type="checkbox"/>            |
| Proposed legislation              | <input checked="" type="checkbox"/> |
| Approved grants or other payments | <input type="checkbox"/>            |
| Other                             | <input type="checkbox"/>            |

**Action Comments**

NA

**Is the Committee engaged in the review of applications for grants?**

No

**Grant Review Comments**

NA

**How is access provided to the information for the Committee's documentation?**

Checked if Applies

|                           |                                     |
|---------------------------|-------------------------------------|
| Contact DFO               | <input checked="" type="checkbox"/> |
| Online Agency Web Site    | <input checked="" type="checkbox"/> |
| Online Committee Web Site | <input type="checkbox"/>            |
| Online GSA FACA Web Site  | <input type="checkbox"/>            |
| Publications              | <input type="checkbox"/>            |
| Other                     | <input type="checkbox"/>            |

**Access Comments**

NA